

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRUD ROSSMANN,  
Plaintiff,  
v.  
RAY LETTEER,  
Defendant.

Case No. [15-cv-05680-JD](#)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING CASE**

Re: Dkt. No. 8

The court has reviewed Magistrate Judge Maria-Elena James' Report and Recommendation advising that this action be dismissed without prejudice. Dkt. No. 8. The Magistrate Judge detailed plaintiff Brud Rossman's failure to respond to two court orders and failure to prosecute his fraud case. The time to file objections to the Report and Recommendation has passed and plaintiff has not objected. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge James' Report is well-reasoned, and the Court adopts it in its entirety.

For the reasons stated in Magistrate Judge James' Report, at least four of the five relevant factors weigh in favor of dismissal of this case pursuant to Federal Rule of Civil Procedure 41(b). Dkt. No. 8 at 4. Accordingly, the Court dismisses the case in its entirety without prejudice. The clerk will enter judgment and close the case.

**IT IS SO ORDERED.**

Dated: February 17, 2016

  
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JAMES DONATO  
United States District Judge